William F. Caton, Acting Secretary December 6, 1993 Page -2-

Should there be any questions concerning this matter, please communicate with the undersigned counsel.

Very truly yours,

David M. Silverman

Enclosure

cc: Jerome S. Silber, Esquire

DEC - 6 1993

## **AMENDMENT**

FEDERAL COMMUNICATIONS COMMISSION OFFICE OF THE SECRETARY

Gardiner Broadcast Partners, Ltd. hereby amends its application for assignment of the license of KRKE(AM), Aspen, Colorado, FCC File No. BAL-930825EC, to change the name of the assignor to Gardiner Broadcast Partners, debtor-in-possession, pursuant to the <u>proforma</u> assignment granted November 22, 1993, FCC File No. BAL-931029GS.

Dated this 30 day of November, 1993.

GARDINER BROADCAST PARINERS, LTD.

Bv:

Clifton Gardiner, President, Gardiner Broadcasting Corp.,

Its Sole General Partner

# UNITED STATES OF AMERICA FEDERAL COMMUNICATIONS COMMISSION Washington, DC 20554

BAPLH-931029GQ
BALH-931029GR
File No.(s): BAL-931029GS
BALH-931029GT
BAL-931029GU
BALH-931029GV
Class of station(s): BALH-931029GW
AM; FM

	FROM:
CONSENT TO ASSIGNMENT:	CARDINED PROADCACT DARWIERS I'TD
CONSENT TO TRANSFER CONTROL:	GARDINER BROADCAST PARTNERS, LTD
CONSENT TO TRANSFER STOCK:	то:
Whereby	GARDINER BROADCAST PARTNERS, LTD
of	DEBTOR-IN-POSSESSION
Control by	
is effected.	
Licensee/Permittee:	
(for transfer only)	

CALL SIGN(S)	STATION LOCATION(S)
KZYR	AVON, CO
KSMT	BRECKENRIDGE, CO
KRKE	ASPEN, CO
KSNO-FM	SNOWMASS VILLAGE, CO
KPKE	GUNNISON, CO
KKYY	GUNNISON, CO
KIDN-FM	HSYDEN, CO

AUXILIARY STATION(\$) (for assignments only)

ALL CURRENTLY AUTHORIZED AUXLIARY SERVICES

Under authority of the Communications Act of 1934, as amended, the consent of the Federal Communications Commission is hereby granted to the transaction indicated above.

The Commission's consent to the above is based on the representations made by the applicants that the statements contained in, or made in connection with, the application are true and that the undertakings of the parties upon which this transaction is authorized will be carried out in good faith.

The actual consummation of voluntary transactions shall be completed within 60 days from the date hereof, and notice in letter form thereof shall promptly be furnished the Commission by the buyer showing the date the acts necessary to effect the transaction were completed. Upon furnishing the Commission with such written notice, this transaction will be considered completed for all purposes related to the above described station(s).

FCC Form 323, Ownership Report, must be filed within 30 days after consummation, by the licensee/permittee or assignee.

ADDITIONAL REQUIREMENTS FOR ASSIGNMENTS ONLY:

Upon consummation the assignor must deliver the permit/license, including any modifications thereof to the assignee. It is hereby directed that, upon consummation, a copy of this consent be posted with the station authorization(s) as required by the Commission's Rules and Regulations.

The assignee is not authorized to construct nor operate said station(s) unless and until notification of consummation in letter form has been forwarded to the Commission.

Dated:

NOV 2 2 1993

(FOR) CHIEF, FM BRANCH, AUDIO SERVICES DIVISION, MASS MEDIA BUREAU

Roa Scanlan



FCC Form 732-FM August 1991

ISSUED BY: PAS

NUN 96-191

#### FEDERAL COMMUNICATIONS COMMISSION WASHINGTON, D.C. 20554

IN REPLY REFER TO: 1800B3- PAS

KZYR; KSMT; KRKE; KSNO-FM

Call Letters : KPKE; KKYY; KIDN-FM
Date Granted : NOV 2 2 153

File Number(s): BAPLH-931029GQ; BALH-931029GR;

BAL-931029GS; BALH-931029GT; BAL-931029GU;

BALH-931029GV; BALH-931029GW

GARDINER BROADCAST PARTNERS, LTD DEBOTR-IN-POSSESSION P.O. BOX 5559 AVON, CO 81620

## NOTICE TO ASSIGNEE:

and reported.

Enclosed is FCC Form 732 notifying you of Commission consent to the assignment the construction permit and/or license of the station(s) therein described. waintary assignments are required to be completed within sixty (60) days of the date granted.

In addition to the filing of the below mentioned FCC Form 323, you are required to immediately notify this office (1800B3), by letter, as to the exact date of the consummation; that is, the date on which the acts necessary to effect the assignment was completed.

Within thirty (30) days after the consummation of the assignment it will be necessary for you to submit an Ownership Report (FCC Form 323) reporting all changes as required by Section 73.3615 of the Rules. Where applicable, a separate Ownership Report should also be completed and submitted for any holding company (25% or greater ownership interest) of the licensee/permittee. Contractual information required by Section 73.3613 should be reported for the assignee in Item 6, page one of the Ownership Report and copies of each instrument should be submitted with the report. If this is an involuntary signment that was the result of a death or court action, an Ownership Report must be filed to determine that all requirements of the Rules have been met

In the event the assignee is the licensee/permittee of another station and has a current Ownership Report on file, you may complete and file only page one of FCC Form 323 to reflect the acquisition of the station(s) listed above. FCC Form 323 is enclosed for filing convenience. Instructions for completing the report are on the reverse side.

It is of the utmost importance that all Commission correspondence comes to the immediate attention of the permittee or licensee. Only one mailing address can be maintained for each station. Unless we hear from you to the contrary, the above address will be used as your permanent mailing address.

If the assignor has any applications pending before the Commission, these applications must be amended to reflect the name of the assignee. Upon consummation of the assignment, amendments to each application must be filed by the assignee, in triplicate, signed by the proper party (see Section 73.3513 of the Rules). Further processing of these applications will be withheld pending receipt of the amendment.

Chief, FM Branch Mass Media Bureau

Enclosures cc: Ownership

Approved by OMB 3060-0440

FEDERAL COMMUNICATIONS COMMISSION

FEE PROCESSING FORM

FOR FCC USE

PCC/MELLON OCT 2 9 1993

ONLY

11-01-93 8350494 004

Please read instructions on back of this form before completing it. Section I MUST be completed. If you are applying for concurrent actions which require you to list more than one Fee Type Code, you must also complete Section II. This form must accomplety air payments. Only one Fee Processing Form may be submitted per application or filing. Please type or print legibly. The required blocks must be completed or application/filing will be returned without action.

APPLICANT NAMEY LAST, fim GARDINER BROADCAST	st, middle initial) PARINERS, LTD.	\	
c/o Cole, Raywid		Δ	me of form)
	(if required) (Maximum 85 class Ave., N.W., Suite		NOV 0 5 1993
Washington STATE OR COUNTRY (if fore	elgn address) ZIP CODE	CALL SIGN	RECEIVED TIFIER
Fee Filing Guides. Enter in Co the value of the Fee Type Co		olicable. Enter in Column (C) the r entered in Column (B), if any.	ype Codes may be found in FCC result obtained from multiplying
(A)  FEE TYPE CODE  M D R	(B) FEE MULTIPLE (if required) 7	(C)  FEE DUE FOR FEE TYPE CODE IN COLUMN (A)  \$ 560.00	FOR FCC USE ONLY
SECTION II		you are requesting concurrent e than one Fee Type Code.	
(A) FEE TYPE CODE	(B) FEE MULTIPLE (If required)	(C) FEE DUE FOR FEE TYPE CODE IN COLUMN (A)	
(2)		\$	
(3)		•	
(4)		*	
(5)		•	
ADD ALL AMOUNTS SHOWN THROUGH (5), AND ENTER THIS AMOUNT SHOULD EQUIPMENTANCE.	HE TOTAL HERE.	TOTAL AMOUNT REMITTED WITH THIS APPLICATION OR FILING  \$ 560.00	FOR FCC USE ONLY

## INSTRUCTIONS FOR COMPLETING FEE PROCESSING FORM, FCC FORM 165, August 1991

- (1) "Applicant Name" Enter the name (last, first, middle initial) of the applicant as it appears on the original application or filing being submitted with this Fee Processing Form. If company, enter name which is used commercially.
- (2) "Mailing Address (Line 1)" Enter the street address or post office box number to which the applicant wishes correspondence sent.
- (3) "Mailing Address (Line 2)" This line may be used for further identification of the address if additional space is required.
- (4) "City" Enter the name of the city associated with the given street address.
- (5) "State or Country" Enter the appropriate two-digit state abbreviation as prescribed by the U.S. Postal Service. If address if foreign, enter the appropriate country name here.
- (6) "ZIP Code" Enter the appropriate five or nine-digit ZIP Code prescribed by the U.S. Postal Service.
- (7) "Call Sign or Other FCC Identifier" Enter the applicable call or unique FCC identifier, if any, as shown on your attached application or filing. If applying for a service affecting more than one call sign, enter one call sign only.
- (8) Column (A), "Fee Type Code" Enter correct Fee Type Code(s) from the appropriate Fee Filing Guide. Only one Fee Processing Form may be submitted per application or filing. Inaccurate or erroneous Fee Type Codes may result in your application or filing being returned to you without further processing.
- (9) Column (B), "Fee Multiple" Certain applications and filings may request action with respect to more than one station, license, frequency, or party and can be submitted together with one check if they meet specific conditions. This column is used only if a multiple, i.e., two or more, is being applied for. Examples of when this would be used are renewing more than one call sign, frequency, station, or the transfer of control of more than one station. Refer to the appropriate Fee Filing Guide for additional information.
- (10) Column (C), "Fee Due for Fee Type Code in Column (A)" Enter in this block the amount of the fee associated with the Fee Type Code shown in Column (A) (times (X) the fee multiple, if required).
- (11) "Total Amount Remitted With This Application or Filing" Enter the total of lines (1) through (5) of Column (C). This amount should equal the amount of your check or money order. We will not accept multiple checks.

#### HOW TO SUBMIT APPLICATIONS AND FILINGS

- o Each application or filing should be assembled with the Fee Processing Form, FCC Form 155, stapled to the top of the application with the check placed on top of the Fee Processing Form. DO NOT STAPLE THE CHECK TO THE APPLICATION OR FEE PROCESSING FORM, FCC FORM 155. Required copies of applications should be clearly identified as "duplicate copy" and placed behind the original package. "Stamp and receipt" copies should be placed on top of the original package and CLEARLY identified as return copies. Extraneous material and extra copies should be avoided at all times. Failure to follow these instructions will delay the processing of your submission.
- o Completed applications or filings should be mailed to the proper address shown in the Fee Filing Guide for the particular service for which you are applying or making a filing. All applications and filings must be properly addressed to the appropriate P.O. box number, even if hand delivered to the address listed below. Applications received before midnight on a normal business day will receive that day's date as the receipt date. Deliveries made after midnight on Fridays will not be "officially" receipted until the next Monday. Applications received on weekends and government holidays are dated the next regular business day.
- o A single check, bank draft or money order made payable to the Federal Communications Commission and denominated in U.S. dollars and drawn upon a U.S. financial institution must be included with each application or filing requiring a fee. No postdated, altered or third-party checks will be accepted. Do not send cash.
- o Parties hand delivering applications or filings may receive dated receipt copies by presenting copies of the applications or filings to the acceptance clerk at the time of delivery. Receipts will be provided for mail—in applications or filings if an extra copy of the application or filing is provided along with a self-addressed stamped envelope. Only one piece of paper per application or filing will be stamped for receipt purposes.

## REMEMBER

- o A separate completed Fee Processing Form is required with each application or filing except in certain circumstances. Please refer to the appropriate Fee Filing Guide for additional information.
- o A wrong Fee Type Code or incorrect remittance may result in your application or filing being returned without processing, or result in the dismissal of your application or filing. Please ensure that FEE TYPE CODES are correct and that your check or money order equals the amount shown in the TOTAL AMOUNT REMITTED WITH THIS APPLICATION OR FILING block before submitting your application or filing.
- o If you have any questions completing this form, please call the Fees Hotline, 202/632-FEES.

### FCC NOTICE FOR INDIVIDUALS REQUIRED BY THE PRIVACY ACT AND THE PAPERWORK REDUCTION ACT

Part 1, Subpart G of the Commission's rules authorize the FCC to request the information on this form. The information requested is required in order to obtain a license or authorization from the Commission. The purpose of the information is to provide a means to link a fee payment to a specific invoice, application or filing. The information will be used by the Commission to maintain data concerning fees paid to the Commission, for internal financial control, audit, and reporting purposes. Information requested on this form will be available to the public. Your response is required to obtain a license or other authorization from the Commission.

Public reporting burden for this collection of information is estimated to average 10 minutes per response, including the time for reviewing instructions, searching data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Federal Communications Commission, Office of Managing Director, Washington, DC 20554, and to the Office of Management and Budget, Paperwork Reduction Project (3060-0440), Washington, DC 20503.

## THIS ADDRESS IS FOR HAND CARRY OR COURIER DELIVERY ONLY:

Federal Communications Commission c/o Mellon Bank Three Mellon Bank Center 525 William Penn Way 27th Floor, Room 153-2713 Pittsburgh, Pennsylvania 15259-0001 (Attention: Wholesale Lockbox Shift Supervisor)

FCC Form 155 - Instructions

August 1991

Approved by OM8 3060-0009 Expires 4/30/90

UNITED STATES OF AMERICA FEDERAL COMMUNICATIONS COMMISSION Weshington, D. C. 20554

APPLICATION FOR CONSENT TO ASSIGNMENT OF RADIO BROADCAST STATION CONSTRUCTION PERMIT OR LICENSE OR TRANSFER OF CONTROL OF CORPORATION HOLDING RADIO BROADCAST STATION CONSTRUCTION PERMIT OR LICENSE

(Short Form)

### APPLICANT SHOULD NOT USE THIS BOX

#### GENERAL INSTRUCTIONS

A. This form is to be used when applying for authority for Assignment of a Radio Broadcast Station Construction Permit or License or for Consent to Transfer of Control of Corporation Holding Radio Broadcast Station Construction Permit or License where:

 There is an assignment from an individual or individuals (including partnerships) to a corporation owned and controlled by such individuals or partnerships without any substantial change in their relative interests.

- There is an assignment from a corporation to its individual stockholders without effecting any substantial change in the disposition of their interests.
- 3. There is an assignment or transfer by which certain stockholders retire, provided that the interest transferred is not a controlling one.
  4. There is a corporate reorganization which involves no substantial

 There is a corporate reorganization which involves no substantial change in the beneficial ownership of the corporation.

- 5. Where there is an assignment or transfer from a corporation to a wholly owned subsidiary thereof or vice versa, or where there is an assignment from a corporation to a corporation owned or controlled by the assignor stockholders without substantial change in their interests.
- There is an assignment of less than a controlling interest in a partnership.
- 7. There is an involuntary transfer to an Executor, Administrator or other court appointed officer caused by death or legal disability. (Note: This form does not cover assignments (or transfers) from the Executor, Administrator or other court appointed officers to the ultimate beneficiary.)

B. The Commission reserves the right to require refiling of the application on Forms 314 or 315 if in its judgement this form does not apply to the assignment or transfer when approval is sought.
 C. Number exhibits serially in the space provided in the body of the form

C. Number exhibits serially in the space provided in the body of the form and list each exhibit in the space provided on the back of this sheet. Date each exhibit.

Date each earlost.

D. The names of the applicants shall be the exact corporate names, if corporations; if partnerships, the names of all partners and the names under which the partnerships do business; if unincorporated associations, the names of executive officers, their offices, and names of the

E. Information called for by this application which is already on file with the Commission need not be refiled in this application provided (1) the information is now on file in another or FCC form filed by or on behalf of these applicants; (2) the information is identified fully be reference to the file number (if any), the FCC form number, and the filing date of the application or other form containing the information and the page or paragraph referred to and (3) after making the reference, the applicants state: "No change since date of filing." Any such reference will be considered to incorporate into this application all information, confidential or otherwise, contained in the application or other form referred to. The incorporated application or other form will therefiter, in its entirety, he open to the public.

form reserved to. In encorporated application of other form will therester, in its entirety, be open to the public.

F. This application shall be personally signed by the applicant, if the applicant is an individual; by one of the partners, if the applicant is a partnership; by an officer, if the applicant is a corporation; by a member who is an officer, if the applicant is an unincorporated association; or by the applicant's attorney in case of the applicant's physical disability or of his absence from the United States. The attorney shall, in the event he signs for the applicant, separately set forth the reason why the application is not signed by the applicant. In addition, if any matter is stated on the basis of the attorney's belief only (rather than his knowledge), he shall separately set forth his reasons for believing

that such statements are true.

G. PREPARE AND FILE THREE COPIES OF THIS FORM AND ALL EXHIBITS WITH FEDERAL COMMUNICATIONS COMMISSION, WASHINGTON, D. C. 20554.

H. BE SURE ALL NECESSARY INFORMATION IS FURNISHED AND ALL PARAGRAPHS ARE FULLY ANSWERED. IF ANY PORTIONS OF THE APPLICATION ARE NOT APPLICABLE, SPECIFICALLY SO STATE. DEFECTIVE OR INCOMPLETE APPLICATIONS MAY BE RETURNED WITHOUT CONSIDERATION.

File No.

## RECEIVED

1. Application for: (Check One)

Consent to Assignment Consequence Consequence of Consequence Conse

Gardiner Broadcast Partners, Ltd.

P.O. Box 5559

Avon, CO 81620 AM EXAMINERS

- 3. Send notices and communications to the following-named person at the post office address indicated David M. Silverman, Esquire Cole, Raywid & Braverman, Suite 200
  1919 Pennsylvania Ave., N.W., Washington, D.C.
- 4. Name and post office address of assignee (or transferee)

Gardiner Broadcast Partners, Ltd., Debtor-in-Possession

P.O. Box 5559, Avon, CO 81620

5. Name and post office address of licenses (or permittee)

Gardiner Broadcast Partners, Ltd. P.O. Box 5559 Avon, CO 81620

6. Authorization which is proposed to be assigned or transferred:

Call letters Location
SEE EXHIBIT I.

Class of station (AM-FM-TV) File Number

 Authorizations of any Remote Pickup, STL, SCA, or other stations held by licenses (or permittee) which are to be assigned or transferred:

Call letters

All auxiliary authorizations

 State file numbers of any other pending applications which involve the licenses (or permittee)

BPH-920910IF

BAL-930825EC

- 9. Attach as Exhibit No. II a full narrative statement of the circumstances leading to the assignment (or transfer) and the reasons therefor. Fill out Item 15 to show the disposition of stock partnership interests) both before and after the proposed assignment (or transfer). The name, residence, citizenship and office, if any, of each stockholder (or partner) should also be shown.
- 10.a. If the assignment (or transfer) is voluntary:
  - Attach as Exhibit No. <u>TTT</u> all contracts, agreements or understandings (the substance of oral agreements should be reduced to writing) by which the stock (or other interest) is transferred.
  - b. If the assignment (or transfer is involuntary;
    (1) In the case of bankruptcy, or legal disability of the assignor (or

transferer), attach as Exhibit No.\_\_\_\_\_certified copy of all court orders pertaining to the assignment (or transfer).

(2) In case of death of the assigner (or transferor), attach as Exhibit

No. \_\_\_\_ the Will or Letters Testamentary and all pertinent court orders.

menetary, paid.			13. Does the assignee (or transferee) propose to continue present program policies and achedules without substantial change?  If the answer is "No", attach as Exhibit No. a full statement showing a percentage breakdown in terms of types of programs, a composite week breakdown, a specific statement as to the						
Attach as Exhibit No. N/A a statement showing other breadeast interests of each new steekholder or partner.			- CENOUS	nt of time to	bear ed o	or commercial progr program policies.	rems and a narrative		
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## EXHIBIT I

KZYR(FM)	Avon, Colorado
KSMT (FM)	Breckenridge, Colorado
KRKE(AM)	Aspen, Colorado
KSNO-FM	Snowmass Village, Colorado
KPKE(AM),	Gunnison, Colorado
KKYY (FM)	Gunnison, Colorado
KIDN-FM (	Havden. Colorado

## EXHIBIT II

Gardiner Broadcast Partners, Ltd. filed a voluntary petition under Chapter 11 of the Bankruptcy Code on August 31, 1993 and continues to operate and manage its radio stations as debtor-in-possession pursuant to the provisions of Sections 1107 and 1108 of the Bankruptcy Code.

.=	<u> </u>			
, ,	Jnited States Bankruptcy Court District of Colorado	VOLUNTARY PETITION		
IN RU (Name of debtor - If Indi-	vidual, enter Last, Missi, Middle)	NAME OF JOINT DEBTOR (Spouse) (Last, First, Middle)		
Gardiner Bro	adcast Partners, Ltd.			
ALL OTHER NAMES used by (Include married, maidon, and II	the debtor in the last 6 years	ALL OTHER NAMES used by the joint debtor in the last 6 years (Include married, maiden, and trade names)		
Rocky Mountain Radio The Mountain		OZ C SBB		
SOC SECTAX I.D. NO. (If me	ore than one, state all)	SOC SECTAR L.P. NO. (If Hore than one, state all)		
84-1157238				
STREET ADDRESS OF DEBT	OR (No. and street, city, state, and zip code)	STREET ADDRESS OF JOINT DEBTOR (No. and street, city, state, and alp. code)		
0082 E. Beav	er Creek Blvd	,		
	.620	COUNTY OF RESIDENCE OR		
	ENINCIPAL PLACE OF BUSINESS			
<i>څ</i> ې ا	Bagle			
MAIUNG ADDRESS OF DEE PO BOX 5559 Avon, CO 81	STOR (If different from street address)	MAILING ADDRESS OF JOINT DEBTOR (If different from acreet address)		
	ASSETS OF BUSINESS DEBTOR	CONTROL OF THE STATE OF THE STA		
(If different from address listed		VENUE (Check one box)  Debtor has been domiciled or has had a residence, principal place of business.		
SAME		or principal assets in this District for 180 days Immediately preceding the date of this putition or for a longer part of such 180 days than in any other District		
		There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.		
,	information regardin	O DESTOR (Check applicable boxes)		
TYPE OF DERTOR  Diadividual	Dominanda But Make Wat	CHAPTER OR SECTION OF BANKRUPTCY CODE UNDER WHICH THE PETITION IS FILED (Check one box)		
Dist (Husband and Wife)	☐ Corporation Publicly Hold ☐ Corporation Not Publicly Held	Chapter ? Ci Chapter 11 Chapter 13		
Dractaceship	☐ Municipality	Chapter 9		
Other		FILING FEE (Check one hor)		
		Filing fee stacked		
NATURE OF DEBT				
☐ Non-Business/Consumer	XXBusiness - Complete A & B below	Filing fee to be paid in installments. (Applicable to Individuals only.) Must attach signed application for the court's consideration certifying that the debtor is unable to may the except in installments. Rule 1006(b), See Official Form No. 3.  NAME AND ADDRESS OF LAW FIRM OR ATTORNEY  Telephone No.		
A. TYPE OF BUSINESS (Che	ck eac) .	Jaffe and Asher (303) 476-8053		
1 —	Threportation	1650 East Vail Valley Drive, Suite C		
	Manufacturing/ Construction	Vail, Colorado 81657		
Rerail/Wholesale	Mining Real Estate	NAME(S) & REG. # OF ATTORNEY(S) DESIGNATED TO REPRESENT DEBT		
B. BRIEFLY DESCRIBE NAT	Stockbroker	Peter A. Jaffe #11764		
Radio Broadca	-	ECOCT W. CUTTE STILL		
VEGITO DICAGCA	ra - comba	Debtor is not represented by an attorney.		
	RATIVE INFORMATION (U.S.C. § 604) (Estin	stes only) (Check applicable boxes) THIS SPACE FOR COURT USE ONLY		
	is will be available for distribution to unsecured c	reditors.		
Octor estimates that, after funds available for distribu	er any exampt property is excluded and administration to unsecured creditors.	ailve expenses paid, there will be no		
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□0 □1-19. Ď20-99	□ 100-499 □ 500-eyer	II W 12 VII WI		
No. B.O.F. I. Rev. 8-91. VO	ILLINTARY PETITION Bradford Publishing, 1743	Warte St., Derver, CO 80702 - (303) 292-2500 - 1-93		

10-15-93 10:14 AM



Name of Debtor(s):			Case No.:
For Chapter 9, 11, 12 and 13 cases only. Cho  A copy of debtor's proposed plan dated _ is attached.		OF PLAN  SI Debtor intent or order of th	de to file a plan within the time allowed by statute, rule, se court.
Prior Banki	UPTCY CASE FILED WITHIN LA	ST 6 YEARS (If more th	um true, attach additional sheet.)
Location Where Filed	Case Number	**************************************	Date Filed
PENDING BANKRUPTCY CASE FI	ED BY ANY SPOUSE, PARTNER,	OR AFFILIATE OF TH	E DEBTOR (If more than one, attach additional sheet.)
Name of Debtot	Case Number		Date
Relationship	District		Judge
Debtor requests relief in accordance with th		FOR RELIEF de specifical in this petitio	ın.
	// SIGNA	ATURES	
X Q L Signature /Poter A. Jaffe/	ATT	ORNEY	August 31, 1993
INDIVIDUAL/POINT  I deciare under penalty of perjury that ib petition is true and correct.  X Signature of Debtor	• •	I declare untlar po	Ph Denl
Date			
Y		Gardiner I	of Authorized Individual Gardiner, President Broadcasting Corporation
Signature of Jeint Debtor		Title of Individual Authorized by Debtor to File this Petition  August 31, 1993	
Date		Dete	
EXHIB  1. ""xhibit "A" is attached and made a part	IT "A" (To be completed if debtor is a of this petition.	r comocation todnesting t	relief under Chapter 11.)
TO BE COMPLETED BY	NDIVIDUAL CHAPTER 7 DEBTO pter 7, 11, 12, or 13 of title 11, United		CONSUMER DEBTS (See PL 98-353 § 322) the relief available under such chapter, and choose
X Signature of Debtor		Date	
, , x			
Signature of John Debtor		Date	
	To be completed by attorney for indiv the foregoing petition, declare that I t have explained the relial available un	nave informed the debtor(	with primarily consumer debts.) (6) that (he, she, or they) may proceed under chapter 7, 11,
X Signature of Attorney	*		Date

No. B.O.F. I. Rev. 8-91. VOLUNTARY PETITION (Condinued)

Bradford Patterting, 1743 Wazee St., Deaver, CO 80202 -(303) 292-2500 - 1-93

# EXHIBIT IV OWNERSHIP OF GARDINER BROADCAST PARTNERS, LTD. AND GARDINER BROADCAST PARTNERS, LTD., DEBTOR-IN-POSSESSION

Name & Address	Citizenship	<u>Shares</u>	Percent
Gardiner Broadcasting Corp. P.O. Box 5559 Avon, CO 81620	U.S.	GP	100%
As to Gardiner Broadcas	ting Corp.:		
Clifton H. Gardiner 87 Oak Way Evergreen, CO 80439	U.S.	9630	90%
Rex R. Miller 3027 Eighth Avenue Pueblo, CO 81008	U.S.	535	5%
Patrick J. O'Keefe 2520 Cherry Street Denver, CO 80207	U.S.	535	5%

ML 96-191

## COLE, RAYWID & BRAVERMAN

ATTORNEYS AT LAW

SECOND FLOOR

1919 PENNSYLVANIA AVENUE, N. W.

WASHINGTON, D. C. 20006-3458

(202) 659-9750

October 28, 1993

ALAN RAYWID

CABLE ADDRESS

TELECOPIER (202) 452-0067

JOHN P. COLE, JR. BURT A. BRAVERMAN

ROBERT L. JAMES JOSEPH R. REIFER

JOHN D. SEIVER

FRANCES J. CHETWYND

WESLEY R. HEPPLER

DAVID M. SILVERMAN

JAMES F. IRELAND III STEVEN J. HORVITZ

CHRISTOPHER W. SAVAGE

ROBERT G. SCOTT, JR.
SUSAN WHELAN WESTFALL
GARY I. RESNICK
JANET R. THOMPSON\*
THERESA A. ZETERBERG
STEPHEN L. KABLER
JOHN DAVIDSON THOMAS
MARIA T. BROWNE
BENJAMIN E. GOLANT

## VIA FEDERAL EXPRESS - AIRBILL NO. 7573956751

Federal Communications Commission Mass Media Services P.O. Box 358350 Pittsburgh, PA 15251-5350

ATTN: FM Branch

Audio Services Division Mass Media Bureau

Re: Gardiner Broadcast Partners, Ltd.
Pro Forma Assignment of Licenses

### Gentlemen:

On behalf of Gardiner Broadcast Partners, Ltd., we hereby submit an original plus two copies of an application on FCC Form 316 for a pro forma assignment of the licenses of its broadcast stations from Gardiner Broadcast Partners, Ltd. to Gardiner Broadcast Partners, Ltd., Debtor-in-Possession, in connection with a voluntary petition filed under Chapter 11 of the Bankruptcy Code.

Enclosed with this application is a check in the amount of \$560 to cover the filing fee for each of the seven stations listed below.

KZYR (FM)	Avon, Colorado
KSMT (FM)	Breckenridge, Colorado
KRKE (AM)	Aspen, Colorado
KSNO-FM	Snowmass Village, Colorado
KPKE (AM)	Gunnison, Colorado
KKYY (FM)	Gunnison, Colorado
KIDN-FM	Hayden, Colorado

<sup>+</sup> ADMITTED IN PENNSYLVANIA ONLY

## COLE, RAYWID & BRAVERMAN

Federal Communications Commission October 28, 1993 Page -2-

Should there be any questions concerning this matter, please communicate with the undersigned counsel.

Very trul yours,

David M. Silverman

Enclosures

239

FCC HAIL SECTION

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554
November 12, 1993

INT. 15 2 22 PM 93

NOVEMBER 15 BY

IN REPLY REFER TO: STOP CODE 1800B2 8 9 1 0 -WGB

David M. Silverman, Esquire Cole, Raywid & Braverman 1919 Pennsylvania Ave., N.W. Suite 200 Washington, DC 20006

In re: KRKE - Aspen, CO
 Petition to Migrate to the
 Expanded Band

Dear Mr. Silverman:

We have received your petition to migrate to the expanded band for Station KRKE and we thank you for your interest. The Commission has calculated KRKE's interference improvement factor to be zero (0.0). In footnote 50 of Report and Order, MM Docket No. 87-267, Review of the Technical Assignment Criteria for the AM Broadcast Service, 6 FCC Rcd 6273 (1991), ("R&O"), the Commission concluded that daytime-only stations that have improvement factors equal to zero will not be eligible to migrate to the expanded band. Therefore, we will not include station KRKE in the allotment process.

Sincerely,

Signed James R. Burtle

James R. Burtle Chief, AM Branch Audio Services Division Mass Media Bureau

Malle 96-391

FOR MAIL SECTION

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## FEDERAL COMMUNICATIONS COMMISSION Washington, D.C. 20054

June 24, 1993

12 23 PM '93

In Reply Refer To: 8910 - SML Stop Code 1800B2

David M. Straverman, Esq. DISBAC, Raywid & Braverman 1919 Pennsylvania Avenue, NW Second Floor Washington, DC 20006-3458

In re: KRKE (AM)

Aspen, Colorado

Dear Sir or Madame:

This letter concerns your pending request for authority to remain silent. Temporary authority is hereby granted for the above-referenced station to remain silent for three months from the date of this letter.

On December 11, 1991, the Commission adopted a Report and Order (copy attached) which amended Part 1 of the Commission's Rules, to implement Section 5301 of the Anti Drug Abuse Act of 1988. Pursuant to the Report and Order, any requests for extension of this authority must be accompanied by a certification that neither the applicant nor any party to the request is subject to a denial of Federal benefits under Section 5301. Please use the attached certification page to comply with this requirement.

Any further requests for extension of this authority must be accompanied by a detailed summary of steps taken to return the station to on-air operations. It will be necessary to maintain prescribed tower lighting in accordance with the stations license authorization. If an extension is not required, you are requested to notify the Commission, in writing, of the exact date the station resumes on-air operations.

In the event that any AM station remains silent for a period over 6 months, it will be necessary to file with the Commission, prior to returning the station to on-air operations, an FCC Form 302 for direct measurement of power which should include a partial proof of performance for stations with directional antennas.

Sincerely,

James R. Burtle Chief, AM Branch

Audio Services Division

Mass Media Bureau

Attachments

8910-SML KRKE (AM)

## ANTI-DRUG ABUSE ACT CERTIFICATION

The applicant certifies that, in the case of an individual applicant, he or she is not subject to a denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 862a, or, in the case of a non-individual applicant (e.g. corporation, partnership or other unincorporated association), no party to the application is subject to a denial of federal benefits pursuant to that section. For the definition of a "party" for these purposes, see 47 C.F.R. § 1.2002(b).

[ ] Yes [ ] No

Name of Applicant	Signature
•	•
:Date	Title
•	•

NULU 96-191

## COLE, RAYWID & BRAVERMAN

ATTORNEYS AT LAW

SECOND FLOOR

1919 PENNSYLVANIA AVENUE, N. W.

WASHINGTON, D. C. 20006-3458

(202) 659-9750

May 25, 1993

ALAN RAYWID

CABLE ADDRESS

TELECOPIER (202) 452-0067

**RECEIVED** 

MAY 2 5 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

OFFICE OF THE SECRETARY

4 29 FF

MIPUCATE

JOHN P. COLE, JR.

ROBERT L. JAMES JOSEPH R. REIFER

JOHN D. SEIVER

BURT A. BRAVERMAN

FRANCES J. CHETWYND

WESLEY R. HEPPLER

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STEPHEN L. KABLER

SUSAN WHELAN WESTFALL GARY I. RESNICK JANET R. THOMPSON\* THERESA A. ZETERBERG

JOHN DAVIDSON THOMAS TIMOTHY R. FURR MARIA T. BROWNE®\* BENJAMIN E. GOLANT

\* ADMITTED IN PENNSYLVANIA ONLY

Ms. Donna R. Searcy Secretary Federal Communications Commission 1919 M Street, N.W. Washington, D.C. 20554

ATTN: AM Branch

VIA HAND DELIVERY

Audio Services Division

Mass Media Bureau

Re: KRKE (AM)

Aspen, Colorado

Request for Special Temporary Authority

Dear Ms. Searcy:

On behalf of Gardiner Broadcast Partners, Ltd. ("Gardiner"), and pursuant to FCC Rule § 73.1740, we hereby request special temporary authority for KRKE(AM) to be silent. The reason for this request is that Gardiner has lost its lease on the tower site due to the planned construction of a golf course on that site. Accordingly, it will be necessary to find a new site and relocate the tower. As soon as a new site is secured, Gardiner will file a modification application for this station.

Accordingly, for the foregoing reasons, we hereby request special temporary authority for KRKE(AM) to be silent for at least 90 days. Gardiner hereby certifies that it is not subject to a denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 853a.

## COLE, RAYWID & BRAVERMAN

Ms. Donna R. Searcy May 25, 1993 Page -2-

Should there be any questions concerning this matter, please communicate with the undersigned counsel.

Very truly yours,

David M. Silverman

Rm-239

FCC HATL SECTION

## FEDERAL COMMUNICATIONS COMMISSION Washington, D.C. 20054

June 24, 1993

Jun 25 12 23 PM '93

In Reply Refer To: 8910 - SML Stop Code 1800B2

David M.D SM verman, Esq.

DISDAE Raywid & Braverman
1919 Pennsylvania Avenue, NW
Second Floor
Washington, DC 20006-3458

In re: KRKE (AM)
Aspen, Colorado

Dear Sir or Madame:

This letter concerns your pending request for authority to remain silent. Temporary authority is hereby granted for the above-referenced station to remain silent for three months from the date of this letter.

On December 11, 1991, the Commission adopted a Report and Order (copy attached) which amended Part 1 of the Commission's Rules, to implement Section 5301 of the Anti Drug Abuse Act of 1988. Pursuant to the Report and Order, any requests for extension of this authority must be accompanied by a certification that neither the applicant nor any party to the request is subject to a denial of Federal benefits under Section 5301. Please use the attached certification page to comply with this requirement.

Any further requests for extension of this authority must be accompanied by a detailed summary of steps taken to return the station to on-air operations. It will be necessary to maintain prescribed tower lighting in accordance with the stations license authorization. If an extension is not required, you are requested to notify the Commission, in writing, of the exact date the station resumes on-air operations.

In the event that any AM station remains silent for a period over 6 months, it will be necessary to file with the Commission, prior to returning the station to on-air operations, an FCC Form 302 for direct measurement of power which should include a partial proof of performance for stations with directional antennas.

Sincerely,

James R. Burtle Chief, AM Branch

Audio Services Division

Mass Media Bureau

# GARDINER BROADCASTING CORPORATION MAR 8 2 52 PH '93

February 27, 1993

AUDIO SERVICES DIVISION

AM BRANCHECC - MAIL ROOM

MAR 0 9 1993

Ms. Donna R. Searcy Secretary Federal Communications Commission 1919 M Street N.W. Washington, D.C. 20554

Attn: AM Branch

**Audio Services Division** Mass Media Bureau

Re:

ENEE (AM)

Aspen, Colorado Remote Control Points

Dear Ms. Searcy:

On behalf of Gardiner Broadcast Partners, Ltd., we hereby notify the Commission that the remote control location for KRKE has been changed to 82 East Beaver Creek Blvd., Avon, Colorado.

Sincerel

President, Gardiner Broadcasting Corp.

Its Sole General Partner

NIM 46-191

entered 91

FOO MAIL SECTION

Federal Communications Commission Sep 12 3 14 PM 191

September 12, 1991

DISPACHED BY

Gardiner Broadcast Partners, Ltd. Station KSNO 433 Park Point Drive Golden, CO 80401

RE: Gardiner Broadcast Partners, Ltd. (PN-167)

## Dear Licensee:

This is in reference to your request for a new or modified call sign assignment filed on March 27, 1991. Review of the Commission's records indicated that the requested call sign is available for assignment. In view thereof, the call letters of AM broadcast station located in Aspen, CO is hereby changed to effective September 15, 1991. This letter is considered part of your station license or construction permit pending issuance of an authorization incorporating the new callsign.

Sincerely,

Alma L. Hughes

Chief, Call Sign Desk Video Services Division

Mass Media Bureau

cc: David M. Silverman

FOB: Denver, CO

Emergency Communications Div., Rm 840
Records Section (2) , Rm 363
Data Management Staff , Rm 356
Ownership , Rm 234
Enforcement Division , Rm 8210
EEO Branch , Rm 7218
AM Branch , Rm 344

Cable TV Branch', Rm 244
Call Sign Desk, RM 709

Approved by OMB 3060-0440 Expires 12/31/90

SECTION

# FEE PROCESSING FORM



RECIMELLON MAR 22 1991

03 15-91 8165396 001

APPLICANT NAME (Last, first, middle init) GARDINER BROADCAST PARTNERS, LT			
MAILING ADDRESS (Line 1) (Maximum 35		ruction (2) on reverse of	form)
c/o Cole, Raywid & Brave			ASS MEDIA BUR
MAILING ADDRESS (Line 2) (if required)		REC'D MA	155 MILDIN 200
1919 Pennsylvania Ave., N	.W., Suite 200	MAC	271991
CITY		MAT	
Washington		CAU	SIGN DESK
STATE OR COUNTRY (if foreign address)	ZIP CODE	CALL SIGN OR OTHER	FCC IDENTIFIER (If applicable)
DC	20006	KSNO (AM)	
FEE M	e Multiple, if applicable. Ent  A) by the number entered in  B)  ULTIPLE  FEE	er in Column (C) the resul	
require			FOR FCC USE ONLY
(3)	•		
(4)	•		
ADD ALL AMOUNTS SHOWN IN COLUMN THROUGH (5), AND ENTER THE TOTAL HER THIS AMOUNT SHOULD EQUAL YOUR END REMITTANCE.	RE. TOT	AL AMOUNT REMITTED ITH THIS APPLICATION OR FILING 55.00	FOR FCC USE ONLY